Single Bench

IN THE HIGH COURT OF JUDICATURES AT BILALSPUR (CHHATTISGARH)

REVISION 183 OF 2004

APPLICANTS (1) Sahdeo S/o Dewar age 40 years Caste Uraon

(2) Ashok s/o Dewar age 30 years. Caste Uraon.

(3) Sudhir S/o Dewar age 25 years. Caste Uraon.

(4) Jae Prakash S/o & (Bali) Sahdeo age 17 years CasteUraon.

(5) Omprakash S/o & (Bali) Sahdeo age 15 years Caste Uraon.

(6) Johan S/o Nadhiya age 45 years Caste Uraon.

All residents of Pakhanakot Post – Supkalo, Thana – Kapu Tahsil – Dharamjaigarh District – Raigarh (C.G.)

APPLICANTS

Plaintiffs

Verses

(1) Thakur Ram S/o Manglu Rawat age 55 years.

(2) Rati Ram S/o Thakur Rawat age age 35 years.

(3) Ramniwas S/o Rati Ram Rawat age 22 years.

(4) Asha Ram S/o Moti Ram age 45 years.

(5) Sadhu ~~Sadhu~~ Ram S/o Moti Ram age 40 years.

(6) Harishankar S/o Nathu Ram age 21 years.

(7) Mrs. Gulafi D/o Chatan Rawat age 35 years.

(8) Kartik Ram S/o Chatan Rawat age 40 years.

All residents of Village – Pakhanakot, Post- Supkalo Thana – Kapu, Tahsil – Dharamjaigarh District Raigarh (C.G.)

(9) Government of Chhattisgarh through Collector Raigarh (C.G.)

Non-applicants.

DEFENDANTS

Revision U/S 115 of the Code of Civil Procedure

(19)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक C.R-183/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	02.03.2005: -	

Shri V.K.Pandey, learned counsel for the applicants.
Shri Akhil Agrawal, learned counsel for the respondents.

The instant revision petition has been preferred against the impugned order by which the application of the applicants under Order 26 Rule 9 of Code of Civil Procedure for appointment of Commissioner for legal investigation, has been rejected.

Learned counsel for the applicants seeks to withdraw this revision with liberty to file appropriate proceedings available under the law as in view of the proviso to Section 115 of C.P.C., the instant revision is not maintainable.

The revision is accordingly dismissed as not maintainable with liberty as prayed for.

Sd/-
Dhirendra Mishra
Judge